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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/680,560	10/05/2000	Burton A. Hipp	A-69621/DCA/SMF	2075

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FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP
Four Embarcadero Center, Suite 3400
San Francisco, CA 94111-4187

EXAMINER

COURTENAY III, ST JOHN

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 03/18/2004

4

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/680,560

Applicant(s)

HIPPI, BURTON A.

Examiner

St. John Courtenay III

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 October 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 November 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


ST. JOHN COURTENAY III
PRIMARY EXAMINER

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Detailed Action

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1- 44 are rejected under 35 U.S.C. § 102(e) as being anticipated by **Gainer et al.** (U.S. Patent 6,321,219).

As per independent claim 1:

Gainer teaches a method for providing dynamic symbolic link resolution, comprising:

- receiving a first pathname [e.g., see pathname example, col. 6, lines 10-20];
- determining if the first pathname is a dynamic symbolic link (DSL) [see col. 2, line 39, “dynamic link driver” that detects operation occurring at points in the files system-name space where rules have been defined and creates symbolic links among objects as specified by the rules; see also col. 6, line 7];
- determining at least a first value associated with the DSL and substituting the first value into the first pathname producing a first target pathname [col. 6, lines 10-20, see pathname dynamic symbolic link example].

As per independent claim 20:

Gainer teaches a computer system providing a method for providing a dynamic symbolic link [col. 5, dynamic link discussion beginning line 21], comprising the steps of:

- renaming a first pathname to a target pathname [see pathname example col. 6, lines 10-25];
- determining a variable within the target pathname [inherent];
- defining the first pathname as a symbolic link [col. 6, line 25] and associating the symbolic link with a virtual pathname [col. 6, lines 10-20, see pathname dynamic symbolic link example].

As per independent claim 26:

Gainer teaches a method for enabling a dynamic pathname, comprising:

- receiving a request to access information stored under a pathname [col. 2, line 66; col. 6, lines 7-20];
- determining if the pathname is dynamic [see col. 2, line 39, "dynamic link driver" that detects operation occurring at points in the files system-name space where rules have been defined and creates symbolic links among objects as specified by the rules; see also col. 6, line 7];

resolving the dynamic pathname [col. 6, lines 7-20, see pathname dynamic symbolic link example]; and

- providing access to the information stored under the resolved pathname [col. 6, lines 20-24].

As per independent claim 34:

Gainer teaches a computer program product for providing access to stored information, the computer program product including a computer readable storage medium and a computer program mechanism embedded therein, the computer program mechanism comprising a method of providing dynamic symbolic links (DSL) comprising:

- a) receiving a request to access information stored under a pathname [col. 2, line 66; col. 6, lines 7-20];
- b) determining if the pathname is dynamic [see col. 2, line 39, "dynamic link driver" that detects operation occurring at points in the files system-name space where rules have been defined and creates symbolic links among objects as specified by the rules; see also col. 6, line 7];
- c) resolving the dynamic pathname resulting in resolved pathname [col. 6, lines 7-20]; and
- d) providing access to the information stored under the resolved pathname [col. 6, lines 20-24].

As per independent claim 43:

Gainer teaches a computer network configured to provide dynamic symbolic link (DSL) and DSL resolution, the computational system comprising:

- a processor [col. 4, line 14] configured to run at least an operating system [col. 4, line 46] and at least one application [col. 4, line 47];
- a memory coupled with the processor and configured to store information such that the information is stored and accessed through a pathname [col. 4, line 12]; and
- a means for accessing the stored information through the pathname including a means for dynamically resolving the pathname [e.g., see "dynamic symbolic link" discussion, col. 6, line 10, lines 1-29] .

As per dependent claim 2:

Gainer teaches the step of accessing a file designated by the first target pathname [col. 6, lines 7-20].

As per dependent claim 3:

Gainer inherently teaches the step of extracting at least one tag from the DSL [col. 6, lines 7-20 pathname example]; and utilizing the at least one tag in the step of determining at least the first value associated with the DSL [e.g., see "dynamic symbolic link" discussion, col. 6, line 10, lines 1-29].

As per dependent claim 4:

Gainer inherently teaches the step of extracting the at least one tag includes searching the DSL for at least one DSL declaration [see col. 2, line 39].

As per dependent claim 5:

Gainer inherently teaches the step of extracting the at least one tag including searching the DSL for at least one predefined alphanumeric character sequence (i.e., a pathname, as disclosed in col. 6, beginning line 10].

As per dependent claim 6:

Gainer teaches the step of resolving the first pathname as a symbolic link to the DSL prior to the step of determining if the first pathname is the DSL [See Dynamic Symbolic Link discussion columns 5 & 6].

As per dependent claim 7:

Gainer teaches the step of returning a first file handle to the first target path [see col. 6, beginning line 10].

As per dependent claims 8-17:

Gainer teaches the use of applications, target pathnames, Dynamic Symbolic Links (DSLs), registered or persistently stored DSLs, and associated inherent variables, tags, or values substantially as claimed [see Dynamic Symbolic Link discussion beginning col. 5, line 21].

As per dependent claim 21:

Gainer teaches defining a specification associated with the virtual pathname [see col. 6, beginning line 10].

As per dependent claim 22:

Gainer teaches the step of defining a specification including associating the variable with the virtual pathname [see col. 6, beginning line 10, pathname discussion].

As per dependent claim 23:

Gainer teaches the step of associating the symbolic link including defining a declaration within the virtual pathname [see col. 6, beginning line 10, pathname discussion].

As per dependent claim 24:

Gainer teaches comprising the steps of resolving the dynamic symbolic link including:

- a) receiving a request for the symbolic link [col. 2, line 66; col. 6, lines 7-20],
- b) determining the DSL [col. 6, line 7];
- c) determining the target pathname from the DSL [col. 6, lines 10-20]; and
- d) returning a handle to the target pathname [col. 6, lines 10-20, see pathnames].

As per dependent claims 25, 27-30:

See the rejections of claims 3, 4 & 5 above.

As per dependent claims 18, 19, 31-33, 35-42 & 44:

See the rejections of claims 3, 4 & 5, and 24 & 25 above.

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How to Contact the Examiner:

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to **St. John Courtenay III** whose voice telephone number is **(703) 308-5217**. A voice mail service is also available at this number. Normal Flex work schedule: M – F 7:30 AM - 4:00 PM

- **All responses sent by U.S. Mail should be mailed to:**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Patent Customers advised to FAX communications to the USPTO

<http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/faxnotice.pdf>

Effective Oct. 15, 2003, ALL patent application correspondence transmitted by FAX must be directed to the new PTO central FAX number:


**NEW PTO CENTRAL FAX NUMBER:
703-872-9306**

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- Any inquiry of a general nature or relating to the status of this application should be directed to the **TC 2100 Group receptionist: (703) 305-3900**.

Please direct inquiries regarding fees, paper matching, and other issues not involving the Examiner to:

Technical Center 2100 CUSTOMER SERVICE: 703 306-5631

The Manual of Patent Examining Procedure (MPEP) is available online at:
<http://www.uspto.gov/web/offices/pac/mpep/index.html>



**ST. JOHN COURTENAY III
PRIMARY EXAMINER**